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9 Attorneys for Plaintiff

10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 OAKLAND DIVISION

13 UNITED STATES OF AMERICA, ) No. 4-11-70769-MAG  
14 Plaintiff, ) STIPULATION AND [PROPOSED]  
15 v. ) ORDER TO CONTINUE STATUS  
GERMAINE RAMSEY, ) CONFERENCE AND EXCLUDE TIME  
16 ) UNDER THE SPEEDY TRIAL ACT  
17 Defendant. )  
18

19 IT IS HEREBY STIPULATED AND AGREED between the plaintiff through its  
20 attorney, Joshua Hill, and the defendant through her attorney, Elena Condes, that the preliminary  
21 hearing or arraignment presently set for October 18, 2011, be continued to November 17, 2011 at  
22 9:30 a.m. Defense counsel requires additional time to review the produced discovery and  
23 conduct necessary investigation. The parties agree that the delay is not attributable to lack of  
24 diligent preparation on the part of the attorney for the government or defense counsel. For these  
25 reasons, the parties request that time under the Speedy Trial Act be excluded based on the  
26 defense's need for reasonable time necessary for effective preparation, taking into account the  
27 exercise of due diligence. Defendant also agrees to waive the timing of a preliminary hearing or  
28 indictment under 18 U.S.C. § 3161(b) and Federal Rule of Criminal Procedure 5.1. The parties

STIPULATION AND [PROPOSED] ORDER  
No. 4-11-70769-MAG

1 agree that the waiver covers all time between the date of this stipulation and November 17, 2011.

2 IT IS SO STIPULATED:

3 Dated: October 17, 2011

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5 /S/  
6 ELENA CONDES  
7 Attorney for Defendant

8 Dated: October 17, 2011

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10 /S/  
11 JOSHUA HILL  
12 Assistant United States Attorney

## ORDER

10 GOOD CAUSE HAVING BEEN SHOWN, it is hereby ordered that the hearing in this  
11 matter now scheduled for October 18, 2011 is hereby rescheduled for November 17, 2011 at 9:30  
12 a.m. Based upon the representation of counsel and for good cause shown, the Court also finds  
13 that failing to exclude the time between October 17, 2011 and November 17, 2011 would  
14 unreasonably deny the defense the reasonable time necessary for effective preparation, taking  
15 into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further  
16 finds that the ends of justice served by excluding the time between October 17, 2011 and  
17 November 17, 2011 from computation under the Speedy Trial Act outweigh the best interests of  
18 the public and the defendant in a speedy trial. Therefore, it is hereby ordered that the time  
19 between October 17, 2011 and November 17, 2011 shall be excluded from computation under  
20 the Speedy Trial Act. 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv). In addition, upon consent of  
21 defendant, the timing of a preliminary hearing or indictment is waived pursuant to 18 U.S.C. §  
22 3161(b) and Federal Rule of Criminal Procedure 5.1. The waiver covers all time between  
23 October 17, 2011 and November 17, 2011.

24  
25 DATED: October 17, 2011

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27 LAUREL BEELER  
28 United States Magistrate Judge